IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 9246 of 2005

Between:

K.Subba Rao, S/o. Rajaiah,
APSRTC., Torrur Bus Depot, Warangal District.

..... PETITIONER

AND

1 The Regional Manager, APSRTC, Warangal Region, Warangal District.
2 The Depot Manager, APSRTC, Torrur Bus Depot, Warangal District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not granting the Special Grade/Stagnations Increments to the petitioner with effect from his completion of 12 years of service in A.P.S.R.T.C in total (All Regions) and counting the present regions services of 12 years for 12 years Stagnation Increments/Special Grade as bad arbitrary, illegal, unjust and contrary to the Circulars and contrary to the Judgments of this Hon'ble Court and consequently direct the respondents to effect the 12 years Stagnation Increments/Special Grade to the petitioner on his completion of 12 years of service in all the regions of the Corporation.

Counsel for the Petitioner:MR.G.RAVI MOHAN

Counsel for the Respondent Nos.1 and 2: SMT.P.RAJANI REDDY

The Court at the admission stage made the following O R D E R:

Heard both sides and at their request the writ petition is taken up for disposal at the stage of admission.

The grievance of the petitioner is that the respondent-Corporation is not giving the Special Grade/Stagnation Increments to them with effect from their completion of 12 years of service in the Corporation.

The purport of the decision reported by this Court in W.A.No.1301 of 2000 dated 29.10.2002, is that the entire service of the petitioner in the Corporation has to be taken into consideration for the purpose of giving the benefit of stagnation increment. Certain guidelines have been framed by the respondent-Corporation, more particularly, in circular No.P.D-113/1989, dated 03.06.1989, for grant of stagnation increments. Therefore, it is for the respondent-Corporation to decide the matter whether the petitioner is entitled for the stagnation increments in pursuance of the aforesaid circular order. Therefore, a direction is given to the respondent-Corporation to give Special Grade/Stagnation Increments as per the rules taking into account the petitioners' total service of 12 years in the Corporation.

The writ petition is accordingly disposed of. In the circumstances no costs.

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(K.C.BHANU,J)

Dt:25th April, 2005

usd

To

1 The Regional Manager, APSRTC, Warangal Region, Warangal District.
2 The Depot Manager, APSRTC, Torrur Bus Depot, Warangal District.

3 Two CD copies.